

REMARKS

Claims 1-16, 18-74, 78-109, and 118-180 stand rejected under 35 USC 102(e) as being anticipated by Treyz. This rejection is respectfully traversed.

All of the pending independent claims (claims 1, 35, 78, 79, 95, 112, 118, 127, 133, 135, 141, 147, 151, 154, 162, 170, 171, 174, and 177) have been amended to relate to systems and methods for providing a video or audio program, an address or destination location provided in conjunction with the video or audio program, and a transaction expediting element. Accordingly, three separate, but related, elements are recited in the claims: 1) a video or audio program; 2) an address or destination location provided in conjunction with the video or audio program; and 3) a transaction expediting element. These elements and their claimed relationships are described throughout the specification and may be easily understood by the example on page 46, line 21 – page 47, line 17 of the specification. In this example, an advertisement for McDonald's® is presented and associated with the advertisement is an address. Upon arrival of a user at the designated location or address, a transaction can be expeditiously completed using an automated payment and billing system.

The Examiner's rejection fails because Treyz does not describe the three elements recited above with the claimed relationships. In the rejection, the Examiner points to three completely different sections to show a video monitor, an address, and a transaction processing element. The Examiner, however, does not identify any section in Treyz that shows or suggests expediting a transaction with a provider of goods or services located at an address provided in conjunction with an audio or video program.

To show expediting a transaction, the Examiner points to portions of Treyz that show using an automobile personal computer to perform wireless financial transactions. However, the Examiner has not identified any portion of Treyz that shows that the provider of a good or service was related to a video or audio program or that the address of the provider was provided in conjunction with an audio or video program.

Furthermore, the only time that the Examiner points to specific locations in Treyz as showing the claimed audio or video program is with respect to claims 18 and 19 respectively. With respect to claim 19, the Examiner points to portions of Treyz that show only a display panel for

providing information to a user. This section fails to show an address provided with a video program or expediting a transaction with a provider at the address. Further, with respect to claim 18, the Examiner points to portions of Treyz that show only a speaker. Again, this section fails to show an address provided with an audio program or expediting a transaction with a provider located at the address

Since Treyz fails to show systems and methods for providing a video or audio program, an address provided in conjunction with the audio or video program, and expediting a transaction with a provider of a good or service at the address provided in the program as claimed, the rejection of claims 1-16, 18-74, 78-109, and 118-180 under 35 USC 102(e) should be withdrawn.

Claim 17 stands rejected under 35 USC 103(a) as being unpatentable over Treyz in view of Merchant. Claims 75-77 stand rejected under 35 USC 103(a) as being unpatentable over Treyz in view of Hiyokawa. Claims 110-117 stand rejected under 35 USC 103(a) as being unpatentable over Treyz in view of DeLorme. All of these rejections are respectfully traversed.

As explained above, all of the independent claims in this application relate to systems and methods for providing a video or audio program, an address or destination location provided in conjunction with the video or audio program, and a transaction expediting element. In all of the rejections, the Examiner relies upon Treyz to show these aspects of the claims. However, as shown above, Treyz fails to show or suggest these aspects of the claims. Furthermore, none of the other references cited by the Examiner show or suggest these features. Accordingly, the rejections of claims 17, 75-77, and 110-117 should be withdrawn.


In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no.
559442000420.

Dated: November 1, 2005

Respectfully submitted,

By 
James M. Denaro
Registration No.: 54,063
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7739